

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
MISSOULA DIVISION

STATE FARM FIRE AND  
CASUALTY COMPANY, an Illinois  
Company,

Plaintiff,

vs.

BENJAMIN KIMBLE AND BETH  
KIMBLE, a married couple, BB&D  
PROPERTIES, LLC, a Montana  
limited liability company, and  
KIMBLE DRYWALL, INC., a  
Montana corporation,

Defendants.

CV 23–14–M–DLC

ORDER

The parties have stipulated to dismissal of this case with prejudice as to all claims and counterclaims, pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii), without fees or costs to either party, the Court to retain jurisdiction to address any disputes regarding the parties' Settlement Agreement. (Doc. 22 at 2.)

When dismissal is pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii), “the court is authorized to . . . retain jurisdiction over the settlement contract[] if the parties agree.” *Kokkonen v. Guardian Life Ins. Co. of Am.*, 511 U.S. 375 (1994).

Accordingly, IT IS ORDERED that the above-captioned matter is  
DISMISSED WITH PREJUDICE as to all claims and counterclaims, pursuant to  
Fed. R. Civ. P. 41(a)(1)(A)(ii), without fees or costs to either party.

IT IS FURTHER ORDERED that the Court retains jurisdiction solely to  
resolve any disputes under the parties' Settlement Agreement.

DATED this 17th day of October, 2023.



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Dana L. Christensen, District Judge  
United States District Court